BOARD OF SUPERVISORS

MINUTES

January 12, 2005

Supervisors in Attendance:

Mr. Edward B. Barber, Chairman
Mr. R. M. "Dickie" King, Jr.,
Vice Chairman
Mrs. Renny Bush Humphrey
Mr. Kelly E. Miller
Mr. Arthur S. Warren

Mr. Lane B. Ramsey County Administrator

Staff in Attendance:

Colonel Carl R. Baker, Police Department Mr. George Braunstein, Exec. Dir., Community Services Board Mr. Kevin Bruny, Dean Chesterfield University Ms. Jana Carter, Dir., Youth Planning and Development Ms. Marilyn Cole, Asst. County Administrator Ms. Rebecca Dickson, Dir., Budget and Management Mr. Robert Eanes, Asst. to the County Administrator Ms. Lisa Elko, CMC Clerk Mr. Jeff Franklin, Asst. Dir., Utilities Ms. Karla Gerner, Dir., Human Resource Mgmt. Mr. Michael Golden, Dir., Parks and Recreation Mr. Bradford S. Hammer, Deputy Co. Admin., Human Services Mr. John W. Harmon, Right-of-Way Manager Mr. Joseph A. Horbal, Commissioner of Revenue Mr. H. Edward James, Dir., Purchasing Ms. Mary Lou Lyle, Dir., Accounting Acting Chief Paul Mauger, Fire and EMS Dept. Mr. Richard M. McElfish, Dir., Env. Engineering Mr. Steven L. Micas, County Attorney Mr. Francis Pitaro, Dir., General Services Mr. James J. L. Stegmaier, Deputy Co. Admin., Management Services Mr. M. D. Stith, Jr., Deputy Co. Admin., Community Development Mr. Thomas Taylor, Dir., Block Grant Office Mr. Kirk Turner, Dir., Planning

Mr. Ramsey called the regularly scheduled meeting to order at 4:04 p.m.

1. ORGANIZATIONAL MEETING

1.A. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Mr. Ramsey stated that the first order of business would be the election of Chairman and Vice Chairman for 2005. He expressed appreciation to Mr. Miller for his leadership in 2004 and to the Board for its accomplishments during the year. He then opened the floor for nominations.

Mr. King stated he believes Mr. Barber cares greatly about the people of Midlothian as well as the people of Chesterfield and he deserves the opportunity to serve as Chairman of the Board of Supervisors. He then nominated Mr. Barber to serve as Chairman for 2005.

Mrs. Humphrey made a motion, seconded by Mr. Miller, for the Board to close the nominations.

Ayes: Barber, King, Humphrey and Miller.

Nays: None. Absent: Warren.

The vote on election of Mr. Barber as Chairman of the Board of Supervisors for 2005 was as follows:

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

Mr. Barber was elected as Chairman.

Mr. Ramsey congratulated Mr. Barber on being elected as Chairman for 2005.

Mr. Barber received a standing ovation.

Mr. Barber expressed appreciation to Mr. King for his support and also to Mr. Miller for a successful year under his leadership. He thanked his friends on the Board for the opportunity to serve as chairman and stated he is surrounded by colleagues who are people of integrity guided by principles which go beyond the partisan definition. He also thanked members of the audience and his family for their support. He stated the best standards for the Board are those imposed by the citizens every time they have an opportunity to express their collective opinion, indicating that this was recently witnessed with the Bond Referendum, with over 80 percent approval on each of the categories. He further stated the 2004 Citizen Satisfaction Survey indicated a very high rate of satisfaction with the quality of life in Chesterfield County. He stated Board members have a responsibility to each other to be sure that governing remains their focus rather than elections. He referenced the changes taking place in the City of Richmond, indicating that he has offered his personal help and support to Mayor Wilder.

He stated Chesterfield has a well run local government and thanked Mr. Ramsey and county staff for a job well done, indicating that Board members can only be as successful as the first interaction between a concerned citizen and a county employee. He requested that Mr. Ramsey provide the Board with a full examination of the county's economic development effort, to include funding at the regional and local levels; what the expected return is and what it should investment; and any alternatives on that investment that could reap higher rewards on that investment. He stated the report should not exclude personnel, organization or any expenditure of revenue related to economic development, indicating that he and other Board members are not convinced that our efforts are being maximized. He also requested that Mr. Ramsey provide the Board with a report analyzing the Environmental Engineering and Planning Departments. He stated he receives far too many inquiries as to why plans take so long to get through the process. He further stated the county should seize the opportunity to reach out to the City of Richmond on regional issues, and he has asked Mayor Wilder to join him in formalizing a method of reviewing regional issues for recommendation and action by both governing bodies. stated he has asked his Planning Commissioner, Mr. Dan Gecker, to serve in this capacity on behalf of the county's regional interests and has requested that Mayor Wilder select someone to do the same. He further stated he hopes the group will report back to their jurisdictions on a wide variety of regional issues for consideration and action.

Mr. Barber then opened the floor for nominations for Vice Chairman.

Mr. Miller nominated Mr. King to serve as Vice Chairman for 2005. He expressed appreciation to Mr. Barber for his willingness to serve as Chairman and pledged his support to him.

Mrs. Humphrey made a motion, seconded by Mr. Barber, for the Board to close the nominations.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board elected Mr. King to serve as Vice Chairman of the Board of Supervisors for 2005.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

Mr. King was elected as Vice Chairman. He expressed appreciation to the Board for the opportunity to serve as Vice Chairman and stated he will serve with enthusiasm.

Mrs. Humphrey thanked Mr. Miller for his leadership and wisdom throughout 2004. She pledged her support to both Mr. King and Mr. Barber.

Mr. Barber noted Mr. Warren is away on a work assignment in the State of Florida.

1.B. CONSIDERATION OF BOARD APPOINTMENTS

o RICHMOND METROPOLITAN CONVENTION AND VISITORS BUREAU (RMCVB)

On motion of Mrs. Humphrey, seconded by Mr. King, the Board reappointed Mr. Edward Barber to serve on the Richmond Metropolitan Convention and Visitors Bureau, whose term is effective January 1, 2005 and expires December 31, 2005.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

O TRI-CITIES AREA METROPOLIGAN PLANNING ORGANIZATION (CRATER MPO)

On motion of Mrs. Humphrey, seconded by Mr. King, the Board reappointed Mrs. Renny Bush Humphrey to serve on the Tri-Cities Area Metropolitan Planning Organization, whose term is effective January 1, 2005 and expires December 31, 2005.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

O CAPITAL AREA TRAINING CONSORTIUM

On motion of Mrs. Humphrey, seconded by Mr. King, the Board reappointed Mr. Bradford Hammer to serve on the Capital Area Training Consortium, whose term is at the pleasure of the Board.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

o MAYMONT FOUNDATION

On motion of Mrs. Humphrey, seconded by Mr. King, the Board reappointed Mr. Kelly Miller to serve on the Maymont Foundation, whose term is effective January 1, 2005 and expires December 31, 2005.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

Mr. Barber confirmed the following committee appointments:

o BUDGET AND AUDIT COMMITTEE

Mr. Barber and Mr. Miller (Unspecified Term)

O COUNTY EMPLOYEE BENEFITS COMMITTEE

Mr. Warren and Mrs. Humphrey (Unspecified Term)

O DRUG COURT COMMITTEE

Mr. Miller and Mr. King (Unspecified Term)

O SCHOOL BOARD LIAISON COMMITTEE

Mr. Warren and Mr. Barber (Unspecified Term)

o SOLID WASTE ADVISORY COMMITTEE

Mrs. Humphrey and Mr. Miller (one-year term expiring 12/31/2005)

O COALITION OF HIGH GROWTH COMMUNITIES

Mr. Warren (Unspecified Term)

O RED CROSS LOCAL GOVERNMENT ADVISORY COMMITTEE

Mrs. Humphrey (term expires 12/31/2005)

1.C. <u>ADOPTION OF PROCEDURES OF THE BOARD OF SUPERVISORS</u> GOVERNING MEETINGS IN 2005

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board adopted the Procedures of the Board of Supervisors Governing the Board of Supervisors for 2005. (It is noted a copy of the 2005 Procedures of the Board of Supervisors is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

1.D. SETTING OF REGULAR MEETING DATES FOR 2005

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board adopted the regular meeting date schedule for 2005, as follows:

January 12, 2005 at 4:00 p.m. January 26, 2005 at 3:30 p.m.

February 9, 2005 at 3:30 p.m. February 23, 2005 at 3:30 p.m.

March 7, 2005 at 6:00 p.m.

March 9, 2005 at 3:30 p.m.

March 23, 2005 at 3:30 p.m.*

April 13, 2005 at 3:30 p.m.

April 27, 2005 at 4:00 p.m.

May 25, 2005 at 4:00 p.m.

June 22, 2005 at 3:00 p.m.

July 27, 2005 at 3:00 p.m.

August 24, 2005 at 3:00 p.m.

September 21, 2005 at 4:00 p.m.

October 12, 2005 at 4:00 p.m. October 26, 2005 at 4:00 p.m.

November 9, 2005 at 4:00 p.m. November 22, 2005 at 4:00 p.m.**

December 14, 2005 at 3:30 p.m.

- * Mr. Barber has requested to hear a zoning case at the Budget Public Hearing meeting
- ** Tuesday, due to the Thanksgiving Holiday

Special Meeting Dates for 2005

Special Budget Work Session - March 7, 2005 at 6:00 p.m. - Public Meeting Room

Budget Public Hearing - March 23, 2005 at 7:00 p.m. - Public Meeting Room

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

2. APPROVAL OF MINUTES FOR DECEMBER 15, 2004

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved the minutes of December 15, 2004, as submitted.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

3. COUNTY ADMINISTRATOR'S COMMENTS

There were no County Administrator's comments at this time.

4. BOARD COMMITTEE REPORTS

Mr. Barber stated several of the Board members attended special services at the Southside Church of the Nazarene on January 9, 2005. He expressed appreciation to members of the church for allowing the county to use its facilities for memorial services and other events.

5. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board added Item 9.C.14., Approval of First Amendment to Option Agreement with Old Hundred Mill, Incorporated for Purchase of Real Estate for Genito Road School Site; and adopted the Agenda, as amended.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

6. RESOLUTIONS AND SPECIAL RECOGNITIONS

There were no resolutions or special recognitions at this time.

7. WORK SESSIONS

There were no work sessions at this time.

8. DEFERRED ITEMS

There were no deferred items at this time.

9. NEW BUSINESS

9.A. STREETLIGHT INSTALLATION COST APPROVAL

On motion of Mr. King, seconded by Mr. Miller, the Board approved the following streetlight installation in the Rayon Park Subdivision:

• Congress Road, vicinity of 2706 Cost to install streetlight: \$484.77

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.B. APPOINTMENTS

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board suspended its rules at this time to allow for simultaneous nomination/appointment of members to serve on the Youth Services Citizen Board, Personnel Appeals Board and Agricultural Committee.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.B.1. YOUTH SERVICES CITIZEN BOARD

On motion of Mrs. Humphrey, seconded by Mr. King, the Board simultaneously nominated/appointed Ms. Brittney Dale Walls, a youth representing the Bermuda District, to serve on the Youth Services Citizen Board, whose term is effective January 14, 2005 and expires June 30, 2005.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.B.2. PERSONNEL APPEALS BOARD

On motion of Mrs. Humphrey, seconded by Mr. King, the Board simultaneously nominated/appointed Mr. Victor K. Branch to serve on the Personnel Appeals Board, whose term is effective January 1, 2005 and expires December 31, 2007.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.B.3. AGRICULTURAL COMMITTEE

On motion of Mrs. Humphrey, seconded by Mr. King, the Board simultaneously nominated/appointed Mr. Will Schick, representing the Midlothian District, to serve on the Agricultural Committee, whose term is effective immediately and expires December 31, 2006.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C. CONSENT ITEMS

9.C.1. APPROPRIATE DONATIONS FROM THE AMERICAN HEART ASSOCIATION TO THE CHESTERFIELD COUNTY FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT TO PURCHASE AUTOMATED EXTERNAL DEFRIBRILLATORS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board appropriated \$120,540 in donations from the American Heart Association for the Fire and Emergency Medical Services Department to purchase automated external defibrillators for county police vehicles and county public buildings.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.2. ADOPTION OF RESOLUTIONS

9.C.2.a. AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY FROM TIME TO TIME OF THREE HUNDRED FORTY-ONE MILLION SEVEN HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$341,745,000) PRINCIPAL AMOUNT OF COUNTY OF CHESTERFIELD, VIRGINIA, GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS APPROVED AT AN ELECTION DULY CALLED AND HELD IN THE COUNTY OF CHESTERFIELD, VIRGINIA, ON NOVEMBER 2, 2004; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS; AND PROVIDING FOR THE SALE OF SUCH BONDS AND DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN POWERS WITH RESPECT THERETO

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA:

- SECTION 1. Findings and Determinations. (a) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), an election duly called and held under the Public Finance Act of 1991 in the County of Chesterfield, Virginia (the "County"), on November 2, 2004 and an Order of the Circuit Court of the County, dated January 4, 2005, the County is authorized to contract debt and issue its general obligation bonds in the maximum amount of three hundred forty-one million seven hundred forty-five thousand dollars (\$341,745,000) for the purposes set forth below:
- (i) general obligation bonds in the maximum amount of two hundred thirty-one million two hundred twenty-five thousand seven hundred dollars (\$231,225,700) for capital school improvement projects in the County;
- (ii) general obligation bonds in the maximum amount of fifteen million two hundred fifty-seven thousand one hundred dollars (\$15,257,100) for public safety improvement projects in the County;
- (iii) general obligation bonds in the maximum amount of thirty-five million five hundred eighty-seven thousand five hundred dollars (\$35,587,500) for library improvement projects in the County;
- (iv) general obligation bonds in the maximum amount of nineteen million six hundred seventy-four thousand seven hundred dollars (\$19,674,700) for park and recreation improvement projects in the County; and
- (v) general obligation bonds in the maximum amount of forty million dollars (\$40,000,000) for highway, street, road and sidewalk improvement projects in the County.
- (b) As of the date hereof, none of such general obligation bonds approved by the voters of the County at the aforementioned election held on November 2, 2004 have been issued by the County.
- (c) The Board of Supervisors further deems it advisable and in the best interests of the County to authorize and provide at this time for the issuance, sale and delivery from time to time of the three hundred forty-one million seven hundred forty-five thousand dollars (\$341,745,000) aggregate principal amount of the general obligation bonds approved by the voters of the County at the aforementioned election held on November 2, 2004 for the following purposes set forth in Section 1(a) hereof.
- Section 2. Authorization of Issuance of Bonds Approved at Election Held on November 2, 2004. (a) For the purpose of financing the costs of the public improvement projects, as described in Section 1(a), there are hereby authorized to be issued, sold and delivered from time to time in one or more series three hundred forty-one million seven hundred forty-five thousands dollars (\$341,745,000) aggregate principal amount of general obligation bonds of the County to be designated and known as "County of Chesterfield, Virginia,"

General Obligation Public Improvement Bonds" (hereinafter referred to as the "Bonds"). The Bonds shall have such series designation or designations as shall be determined by the County Administrator.

- (b) The Bonds of each series shall be dated such date and shall bear interest from their date payable on such date and semiannually thereafter, as shall be determined by the County Administrator. The Bonds of each series shall mature and become due and payable on such date or dates not exceeding forty (40) years from their date and in such principal amounts on each such date as shall be determined by the County Administrator.
- (c) (i) The Bonds of each series shall be issued only in fully registered form. One Bond representing each maturity of each series of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.
- (ii) Principal, premium and interest payments on the Bonds will be made by the County by wire transfer to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursal to the beneficial owners of the Bonds. Transfers of principal, premium and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.
- (iii) The County will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying or otherwise dealing with any beneficial owner of the Bonds. So long as the Bonds are in book-entry only form, the County Treasurer will serve as Registrar and Paying Agent for the Bonds. The County reserves the right to designate a successor Registrar and Paying Agent for the Bonds at any time cease to be in book-entry only form.
- (d) The Bonds of each series shall be subject to redemption at the option of the County prior to their stated maturities, in whole or in part at any time, on such dates and with such redemption premiums, if any, as shall be determined by the County Administrator.
- (e) In accordance with and subject to the provisions of the Detailed Notice of Sale of the Bonds of any

series, bidders may provide that all the Bonds of such series shall be issued as serial Bonds or may provide that any two or more consecutive annual principal amounts shall be combined into one or more term Bonds. If the successful bidder designates principal amounts to be combined into one or more term Bonds, each such term Bond shall be subject to mandatory sinking fund redemption commencing on such date in the first year which has been combined to form such term Bond and continuing on such date in each year thereafter until the stated maturity date of that term Bond. The amount redeemed in any year shall be equal to the principal amount of serial Bonds that would otherwise have matured in such year. to be redeemed in any year by mandatory sinking fund redemption shall be redeemed at par and shall be selected by lot from among the Bonds then subject to redemption. County, at its option, may credit against any mandatory sinking fund redemption requirement term Bonds of the maturity then subject to redemption which have been purchased and cancelled by the County or which have been redeemed and not theretofore applied as a credit against any mandatory sinking fund redemption requirement.

If any Bond of any series (or any portion of (f) the principal amount thereof in installments of \$5,000) shall be subject to redemption and shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of such Bond is to be redeemed, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount thereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the registered owner of such Bond at his address as it appears on the books of registry kept by the Registrar for the Bonds. The Registrar shall not be required to exchange or transfer any Bond later than the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption of such Bond or any portion thereof. If notice of the redemption of any Bond shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest on such Bond shall cease to accrue from and after the date so specified for redemption thereof. So long as the Bonds of any series are in book-entry only form, any notice of redemption will be given only to DTC or its nominee. The County shall not be responsible for providing any beneficial owner of the Bonds of such series with notice of redemption.

SECTION 3. Appointment of County Treasurer as Registrar and Paying Agent; Payment of Bonds; Books of Registry; Exchanges and Transfers of Bonds.

(a) <u>Appointment of Registrar</u>. The County Treasurer is hereby appointed as the Registrar and Paying Agent for the Bonds (hereinafter referred to as the "Registrar").

- (b) Payment of Bonds. (i) At any time during which the Bonds of any series shall be in fully registered form, the interest on the Bonds of such series shall be payable by check or draft mailed by the Registrar to the registered owners of the Bonds at their addresses as the same appear on the books of registry as of the record date for the payment of interest on the Bonds, and the principal of and premium, if any, on the Bonds shall be payable at the principal office of the Registrar.
- (ii) At any time during which the Bonds shall be in book-entry form, the principal of and premium, if any, and interest on the Bonds shall be payable in accordance with the arrangements made with the depository for the Bonds.
- (iii) The principal of and premium, if any, and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts. Interest on the Bonds shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.
- Bonds. (i) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar shall keep or cause to be kept at its principal office, books of registry for the registration, exchange and transfer of the Bonds. Upon presentation at the principal office of the Registrar for such purpose, the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange, transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as herein set forth.
- (ii) Any Bond may be exchanged at the principal office of the Registrar for a like aggregate principal amount of such Bonds in other authorized principal amounts of the same interest rate and maturity.
- (iii) Any Bond may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized agent, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or his duly authorized agent, in form satisfactory to the Registrar.
- (iv) All transfers or exchanges pursuant to this Section 3(c) shall be made without expense to the registered owner of such Bonds, except as otherwise herein provided, and except that the Registrar shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 3(c) shall be cancelled.

SECTION 4. <u>Execution and Authentication of Bonds;</u> CUSIP Identification Numbers.

(a) Execution of Bonds. The Bonds of each series shall be executed in the name of the County by the manual or facsimile signatures of the Chairman and the Clerk of the

Board of Supervisors, and the corporate seal of the Board of Supervisors shall be impressed, or a facsimile thereof printed, on the Bonds.

- Authentication of Bonds. (b) The Administrator shall direct the Registrar to authenticate the Bonds of each series and no Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on such Bond shall have been manually executed by the Registrar. Upon the authentication of any Bond the Registrar shall insert in the certificate of authentication the date as of which such Bond is authenticated as follows: (i) if the Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date the Bonds are delivered to and paid for by the initial purchasers thereof, (ii) if the Bond authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date, (iii) if the Bond is authenticated on or after the record date for the payment of interest on the Bonds and prior to such interest payment date, the certificate shall be dated as of such interest payment date and (iv) in all other instances the certificate shall be dated the date upon which the Bond is authenticated. The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.
- (c) <u>CUSIP Identification Numbers</u>. CUSIP identification numbers may be printed on the Bonds of each series, but neither the failure to print any such number on any Bonds, nor any error or omission with respect thereto, shall constitute cause for failure or refusal by the successful bidder for the Bonds to accept delivery of and pay for the Bonds in accordance with the terms of its proposal to purchase the Bonds. No such number shall constitute or be deemed to be a party of any Bond or a part of the contract evidenced thereby and no liability shall attach to the County or any of its officers or agents because of or on account of any such number or any use made thereof.

SECTION 5. <u>Tax Covenant</u>. The County covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 6. Sources of Payment of Bonds. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, there shall be assessed, levied and collected, at the same time and in the same manner as other taxes in the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

SECTION 7. Form of Bonds. The Bonds shall be in substantially the form set forth in Exhibit A hereto with

such necessary or appropriate variations, omissions and insertions as are incidental to their series, numbers, interest rates, maturities and redemption provisions or as are otherwise permitted or required by law or this resolution.

SECTION 8. Sale of Bonds. (a) There is hereby delegated to the County Administrator authority, without further action by the Board of Supervisors, to sell the Bonds of each series authorized for issuance under this resolution in accordance with the provisions hereof at competitive sale at not less than the principal amount thereof, plus accrued interest thereon from their date to the date of delivery thereof and payment therefor, and on such other terms and conditions as shall be provided in the Notice of Sale relating to the Bonds of each such series. The County Administrator is hereby authorized to cause to be published and distributed a Notice of Sale and the Sanda after the Sanda and distributed as Notice of Sale and the Sanda after the Sanda and distributed as Notice of Sale and the Sanda after the Sanda and distributed as Notice of Sale and the Sanda after the Sanda and the Sanda and the Sanda after the Sanda and the Sand and distributed a Notice of Sale of the Bonds of each series in such form and containing such terms and conditions as he may deem advisable, subject to the provisions hereof. lieu of publishing the full text of the Notice of Sale of the Bonds of any series in accordance with the provisions of the immediately preceding sentence, the County Administrator is hereby authorized cause a Summary Notice of Sale of the Bonds of such series in such form as the County Administrator shall approve to be published in *The Bond Buyer* on a date selected by the County Administrator and is hereby further authorized to cause to be prepared and distributed a Preliminary Official Statement and a final Official Statement and a Detailed Notice of Sale relating to the Bonds of each series.

- The County Administrator is hereby authorized (b) to receive bids for the purchase of the Bonds of each series and, without further action by the Board of Supervisors, to accept the bid offering to purchase the Bonds of each series at the lowest true interest cost to the County, computed in accordance with the provisions of the Detailed Notice of Sale; provided (i) that such bid is accompanied by a certified or bank cashier's check in the amount specified in the Detailed Notice of Sale payable to the order of the "County of Chesterfield, Virginia", or in lieu thereof a surety bond meeting the conditions specified in the Detailed Notice of Sale, and is otherwise in conformity with the Detailed Notice of Sale, (ii) that the true interest cost to the County as specified in such bid is not in excess of eight percent (8.00%) and (iii) the redemption premium payable upon the redemption of the Bonds shall not exceed three percent (3.00%) of the principal amount thereof. The County Administrator is hereby further authorized to determine the dated date of the Bonds, the interest payment dates for the Bonds, the dates on which the Bonds shall mature, the principal amount of the Bonds maturing on each such maturity date and the redemption provisions applicable to the Bonds and to fix the rates of interest to be borne by the Bonds of each maturity as specified in the bid accepted by him in accordance with the immediately preceding sentence.
- (c) The County Administrator is hereby further authorized to execute and deliver to the purchasers of the Bonds of each series authorized for issuance under this resolution a Continuing Disclosure Certificate evidencing the County's undertaking, to comply with the continuing disclosure requirements of Paragraph (b)(5) of such

Rule 15c2-12 to the extent applicable to the Bonds. The County Administrator, the Director of Accounting and the County Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series one or more certificates in the forms provided for in the Official Statement relating to the Bonds of such series.

SECTION 9. Official Intent. This resolution shall constitute authority for any appropriate representative of the County (including, without limitation, the County Administrator or any Deputy County Administrator, the County Treasurer, the Director of Accounting and the Director of Budget and Management) from time to time to execute an official intent of the County pursuant to Treasury Regulation Section 1.150-2 for purposes of authorizing the County to reimburse itself from the proceeds of the Bonds for original expenditures made on the public improvement projects described in Section 1(a) hereof made on or after the sixtieth (60th) day prior to the date this resolution is adopted. Any such official intent shall comply with the provisions of Treasury Regulation Section 1.150-2(e) or any successor thereto.

SECTION 10. Filing of this Resolution. The County Attorney is hereby authorized and directed to file a copy of this resolution, certified by the Clerk of the Board of Supervisors to be a true and correct copy hereof, with the Circuit Court of the County of Chesterfield.

SECTION 11. <u>Invalidity of Sections, Paragraphs, Clauses or Provisions</u>. If any section, paragraph, clause or provision of this resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining portions of this resolution.

SECTION 12. <u>Headings of Sections</u>. The headings of the sections of this resolution shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of such sections or of this resolution.

SECTION 13. $\underline{\text{Effective Date}}$. This resolution shall take effect upon its adoption.

EXHIBIT A

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF CHESTERFIELD
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND
SERIES OF _____

REGISTERED			REGISTERED
No. R			\$
MATURITY DATE	INTEREST RATE	DATE OF BONDS	CUSIP NO.
	%		
REGISTERED OWNER	R: CEDE & CO.		

PRINCIPAL AMOUNT:

The County of Chesterfield (hereinafter referred to as the "County"), a political subdivision of the Commonwealth of Virginia, for value received, hereby promises to pay the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been duly called for previous redemption and payment of the redemption price shall have been duly made or provided for, the Principal Amount (specified above), and to pay interest on such Principal Amount on _____, and semiannually on each ____ and ___ thereafter from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date if interest has been paid to such date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such interest payment date if interest has been paid to such date, until the payment of such Principal Amount (each such date is hereinafter referred to as an interest payment date) at the Interest Rate (specified above) per annum, by check or draft mailed by the Registrar hereinafter mentioned to the Registered Owner in whose name this Bond is registered on the books of registry kept and maintained by the Registrar as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date is payable to the address of the Registered Owner as it appears on such books of registry. Interest on this Bond shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of the County Treasurer of the County in Chesterfield, Virginia (the "Registrar"). The principal of and premium, if any, and interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

The Bonds of the issue of which this Bond is one maturing on and after $___$, $___$ (or portions thereof in installments of \$5,000) shall be subject to redemption at the option of the County prior to their stated maturities on

If this Bond is redeemable and this Bond (or any portion of the principal amount hereof in installments of shall be called for redemption, notice of the \$5,000) redemption hereof, specifying the date, number and maturity of this Bond, the date and place or places fixed for its redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and a new Bond or Bonds issued equaling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this Bond at his address as it appears on the books of registry kept by the Registrar for the Bonds. The Registrar shall not be required to exchange or transfer this Bond later than the close of business on the forty-fifth (45th) next day preceding the date fixed for redemption of this Bond or any portion hereof. If notice of the redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, this Bond may be exchanged at the principal office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the series of which this Bond is This Bond is transferable by Registered Owner hereof, in person or by his attorney duly authorized in writing, at the principal office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount of the series of which this Bond is one will be issued to the transferee in exchange herefor.

The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, there shall be assessed, levied and collected, at the same time and in the same manner as other taxes in the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on

this Bond to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by the Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond and the series of which it is one, do exist, have happened and have been performed in regular and due time, form and manner as required by law, and that this Bond and the Bonds of the series of which this Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF,	the County, by its Board of	
	Bond to be executed by the	
_	Chairman of such Board; a lof such Board to be imprinted	
-	nile signature of the Clerk of	
such Board; and this Bond to be	e dated,,	
[SEAL]		
Attest:		
Clerk of the Board of	Chairman of the Board of	
Supervisors	Supervisors	
CERTIFICATE OF	AUTHENTICATION	
This Bond is one of t	the Bonds delivered pursuant to	
the within-mentioned proceeding	ß.	
-		
Co	unty Treasurer, as Registrar	
Date of Authentication:		
ASSIG	NMENT	
For valued received tassign(s) and transfer(s) unto	the undersigned hereby sell(s),	
(Please print or type name and code, of Assignee)	address, including postal zip	
DIEACE INCEDE CO	CIAL SECURITY OR	
	G NUMBER OF ASSIGNEE	
the within Bond and all rights	hereunder, hereby irrevocably	
constituting and appointing	J,	

Attorney, to transfer such bond on the books kept for the

registration thereof, with the full power of substitution in the premises.

Dated:	
Signature	Guaranteed:

NOTICE: Signature(s) must be (Signature of guaranteed by a member firm of Owner) The New York Stock Exchange, Inc. or a commercial bank or NOTICE: The signature above trust company.

Registered

must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration, enlargement or any change whatso-

Barber, Humphrey, King and Miller. Ayes:

Nays: None. Absent: Warren.

9.C.2.b. RECOGNIZING MR. ROBERT ROOP UPON HIS RETIREMENT FROM TIMMONS GROUP, AS WELL AS HIS OUTSTANDING LEADERSHIP AND ACCOMPLISHMENTS IN SERVICE TO HIS COUNTRY AND CHESTERFIELD COUNTY

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, Mr. Robert Gentry Roop is a 1965 graduate of Virginia Polytechnic Institute and State University; and

WHEREAS, Mr. Roop served his country in Vietnam during and 1969, earning a Bronze Star for heroic meritorious achievement; and

following his military service, Mr. WHEREAS, returned to Virginia Tech and earned his Master's degree in civil engineering in 1971; and

WHEREAS, Mr. Roop was hired by J. K. Timmons and Associates in 1978; and

WHEREAS, during his 25 years with that Chesterfield County-based company, now known as the Timmons Group, Mr. Roop has helped build it into one of the top ten engineering firms in Virginia, as ranked by Virginia Business magazine; and

WHEREAS, Mr. Roop has most recently served as Timmons' Senior Vice President for Municipal Services and Director of Marketing; and

WHEREAS, Mr. Roop's expertise includes general consultation to municipal clients for financial and operational issues related to wastewater collection and treatment facilities, water systems, drainage and flood control, transportation facilities, dams, general site engineering studies and evaluation reports; and

WHEREAS, during his tenure with the Timmons Group, Mr. Roop was the project manager or engineer-in-charge of many significant projects in Chesterfield County, including the James River Trunk Sewer System, the Woodlake Sewage Pumping Station, Swift Creek Dam and Falling Creek Dam modifications, Meadowville Technology Park infrastructure, Route 60/147 drainage study, Moorefield Office Park development and the Chesterfield Towne Center development; and

WHEREAS, Mr. Roop has been associated with the Virginia Society of Professional Engineers, the Virginia Section of the American Public Works Association, Virginia Rural Water Association and the Virginia Economic Developers Association and is a charter member of the Midlothian Rotary Club, helping to raise funds for many charities; and

WHEREAS, Mr. Roop and his wife, Becky, have hosted dozens of international visitors at their home in Stonehenge as part of the Rotary Club's foreign exchange programs; and

WHEREAS, Mr. Roop has been President of the Board of Governors for the Stonehenge Golf and Country Club; and

WHEREAS, Mr. Roop has been an exemplary citizen of Chesterfield County and his professional expertise has added immeasurably to the quality of life in Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Mr. Bob Roop's retirement from the Timmons Group, as well as his outstanding leadership and accomplishments in service to his country, and to Chesterfield County; congratulates him on his many achievements, and extends to him and to his wife, Becky, sincere best wishes for a long and happy retirement.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.3. STREET-NAME CHANGE

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved the renaming of a portion of Salem Church Road to Old Salem Church Road. (It is noted a copy of the parcel map is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.4. TRANSFER OF DISTRICT IMPROVEMENT FUNDS

9.C.4.a. FROM THE BERMUDA AND DALE DISTRICT IMPROVEMENT FUNDS TO THE COUNTY'S DEPARTMENT OF PARKS AND RECREATION TO FUND BASKETBALL PROGRAMS AT BENSLEY AND BEULAH ELEMENTARY SCHOOLS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board transferred \$5,000 each from the Bermuda and Dale District Improvement Funds (\$10,000 total) to the county's Department of Parks and Recreation to fund basketball programs at Bensley and Beulah Elementary Schools.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.4.b. FROM THE MIDLOTHIAN DISTRICT IMPROVEMENT FUND TO THE SCHOOL BOARD TO PURCHASE BOOKS FOR THE MIDLOTHIAN MIDDLE SCHOOL LIBRARY

On motion of Mr. King, seconded by Mrs. Humphrey, the Board transferred \$5,000 from the Midlothian District Improvement Fund to the School Board to purchase books for the Midlothian Middle School Library.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.4.c. FROM THE BERMUDA DISTRICT IMPROVEMENT FUND TO THE PARKS AND RECREATION DEPARTMENT TO REIMBURSE THE DEPARTMENT FOR THE COST OF USING COUNTY SCHOOL BUSES AND DRIVERS TO TRANSPORT CITIZENS TO THE 2004 JAMES RIVER PARADE OF LIGHTS EVENT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board transferred \$600 from the Bermuda District Improvement Fund to the Parks and Recreation Department to reimburse the department for the cost of using county school buses and drivers to transport citizens to the 2004 James River Parade of Lights event.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.5. <u>SET DATE FOR A PUBLIC HEARING TO REVISE FY2005 SCHOOL</u> BOARD CAPITAL IMPROVEMENT PLAN APPROPRIATIONS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of January 26, 2005 at 7:00 p.m. for the Board to consider revisions to the FY2005 School Board Capital Improvement Plan appropriations.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.6. STATE ROAD ACCEPTANCE

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the <u>Subdivision</u>

<u>Street Requirements</u> of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, <u>Code of Virginia</u>, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Forest Lake, Section C

Lake Tree Drive, State Route Number: 5780

From: 0.01 Mi. S of Nile Rd., (Rt. 1565)

To: Sweetberry Ct., (Rt. 5782), a distance of: 0.07 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Lake Tree Drive, State Route Number: 5780

From: Sweetberry Ct., (Rt. 5782)

To: Windy Marsh Ct., (Rt. 5781), a distance of: 0.05 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

● Lake Tree Drive, State Route Number: 5780

From: Windy Marsh Ct., (Rt. 5781)

To: Laughter Ln., (Rt. 859), a distance of: 0.14 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Lake Tree Drive, State Route Number: 5780

From: Laughter Ln., (Rt. 859)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

● Laughter Court, State Route Number: 5779

From: Laughter Ln., (Rt. 859)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Laughter Lane, State Route Number: 859

From: 0.02 Mi. S of Yoko Ct., (Rt. 4432)

To: Laughter Ct., (Rt. 5779), a distance of: 0.02 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Laughter Lane, State Route Number: 859

From: Laughter Ct., (Rt. 5779)

To: Laketree Dr., (Rt. 5780), a distance of: 0.07 miles.

Right-of-way record was filed on 3/27/2002 with the Office of Clerk to Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Nile Road, State Route Number: 1565

From: 0.01 Mi. S of Forest Lake Rd., (Rt. 859)

To: Laketree Dr., (Rt.5780), a distance of: 0.19 miles.

Right-of-way record was filed on 3/27/2002 with the Office Of Clerk To Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Sweetberry Court, State Route Number: 5782

From: Laketree Dr., (Rt. 5780)

To: Cul de sac, a distance of: 0.04 miles.

Right-of-way record was filed on 3/27/2002 with the Office Of Clerk To Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

Windy Marsh Court, State Route Number: 5781

From: Laketree Dr., (Rt. 5780)

To: Cul de sac, a distance of: 0.04 miles.

Right-of-way record was filed on 3/27/2002 with the Office Of Clerk To Circuit Court in Pb. 124, Pg. 94,

with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the $\underline{\text{Subdivision}}$ $\underline{\text{Street}}$ Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, <u>Code of Virginia</u>, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Tanner Village, Section A

Camack Place, State Route Number: 5841

From: Camack Tl., (Rt. 5840)

To: 0.04 Mi. S of Camack Tl., (Rt. 5840), a distance of: 0.04 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg. 77,

with a width of 44 Ft.

Camack Place, State Route Number: 5841

From: Camack Pl., (Rt. 5841)

To: 0.09 Mi. NE of Camack Pl., (Rt. 5841), a distance of: 0.09 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg. 77,

with a width of 131 Ft.

Camack Trail, State Route Number: 5840

From: Charter Colony Pkwy., (Rt. 950)

To: Camack Pl., (Rt. 5841), a distance of: 0.08 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg. 77,

with a width of 44 Ft.

Camack Trail, State Route Number: 5840

From: Camack Pl., (Rt. 5841)

To: Jeffries Wy., (Rt. 5842), a distance of: 0.06 miles.

 $Right-of-way\ record\ was\ filed\ on\ 11/3/2003\ with\ the\ Office\ of\ Clerk\ to\ Circuit\ Court\ in\ Pb.\ 138;\ Pg.\ 77,$

with a width of 44 Ft.

Camack Trail, State Route Number: 5840

From: Jeffries Wy., (Rt. 5842)

To: Cul de sac, a distance of: 0.11 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg. 77,

with a width of 44 Ft.

● Jeffries Way, State Route Number: 5842

From: Camack Tl., (Rt. 5840)

To: 0.08 Mi. S of Camack Tl., (Rt. 5840), a distance of: 0.08 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg.77,

with a width of 44 Ft.

Jeffries Way, State Route Number: 5842

From: Camack Tl., (Rt. 5840)

To: 0.09 Mi. N of Camack Tl., (Rt. 5840), a distance of: 0.09 miles.

Right-of-way record was filed on 11/3/2003 with the Office of Clerk to Circuit Court in Pb. 138; Pg. 77,

with a width of 44 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the <u>Subdivision Street Requirements</u> of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, <u>Code of Virginia</u>, and the Department's <u>Subdivision Street Requirements</u>.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Tarrington, Section 1

Ashwell Drive, State Route Number: 5843

From: Robious Rd., (Rt. 711)

To: 0.18 Mi. E of Robious Rd., (Rt. 711), a distance of: 0.18 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 60,

with a width of Variable.

Ashwell Drive, State Route Number: 5843

From: Ashwell Dr., 0.19 Mi. E of Robious Rd. (Rt. 711)

To: 0.15 Mi. E of Ashwell Dr., (Rt. 5843), a distance of: 0.15 miles.

Right-of-way record was filed on 8/29/2003 with the Office to Clerk of Circuit Court in Pb. 136, Pg. 60,

with a width of 70 Ft.

Ashwell Drive (roundabout Circle), State Route Number: 5843

From: Ashwell Dr., (Rt. 5843)

To: 0.05 Mi. SW of Ashwell Dr., (Rt. 5843), a distance of: 0.05 miles.

 $Right-of-way\ record\ was\ filed\ on\ 8/29/2003\ with\ the\ Office\ of\ Clerk\ to\ Circuit\ Court\ in\ Pb.\ 136,\ Pg.\ 60,$

with a width of Variable.

Ashwell Drive (roundabout), State Route Number: 5843

From: Ashwell Dr., (Rt. 5843)

To: 0.05 Mi. NE of Ashwell Dr., (Rt. 5843), a distance of: 0.05 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 60,

with a width of Variable.

Langford Drive, State Route Number: 5845

From: Langford Ln., (Rt. 5844)

To: Penhurst Rd., (Rt. 5846), a distance of: 0.10 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 44 Ft.

Langford Drive, State Route Number: 5845

From: Penhurst Rd., (Rt. 5846)

To: Markfield Dr., (Rt. 5847), a distance of: 0.06 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 44 Ft.

Langford Drive, State Route Number: 5845

From: Markfield Dr., (Rt. 5847)

To: 0.05 Mi. N of Markfield Dr., (Rt. 5847), a distance of: 0.05 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 44 Ft.

Langford Drive, State Route Number: 5845

From: Langford Ln., (Rt. 5844)

To: Penhurst Rd., (Rt. 5846), a distance of: 0.10 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 44 Ft.

Langford Lane, State Route Number: 5844

From: Ashwell Dr., (Rt. 5843)

To: Langford Dr., (Rt. 5845), a distance of: 0.07 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 44 Ft.

Markfield Drive, State Route Number: 5847

From: Langford Dr., (Rt. 5845)

To: 0.02 Mi. E of Langford Dr., (Rt. 5845), a distance of: 0.02 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Page 60,

with a width of 40 Ft.

Penhurst Road, State Route Number: 5846

From: Langford Dr., (Rt. 5845)

To: Langford Dr., (Rt. 5845), a distance of: 0.13 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pg. 136, Page 60,

with a width of 44 Ft.

Penhurst Road, State Route Number: 5846

From: Ashwell Dr., (Rt. 5843)

To: Langford Dr., (Rt. 5845), a distance of: 0.05 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pg. 136, Page 60,

with a width of 44 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the <u>Subdivision Street Requirements</u> of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, <u>Code of Virginia</u>, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Tarrington, Section 2

Calcutt Drive, State Route Number: 5849

From: Calcutt Ln., (Rt. 5848)

To: Cul de sac, a distance of: 0.09 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Calcutt Drive, State Route Number: 5849

From: Calcutt Ln., (Rt. 5848)

To: Grendon Dr., (Rt. 5850), a distance of: 0.09 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Calcutt Lane, State Route Number: 5848

From: Ashwell Dr., (Rt. 5843)

To: Calcutt Dr., (Rt. 5849), a distance of: 0.08 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 44 Ft.

Grendon Drive, State Route Number: 5850

From: Grendon Ln., (Rt. 5852)

To: Calcutt Dr., (Rt. 5849), a distance of: 0.09 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Grendon Drive, State Route Number: 5850

From: Cul de sac

To: Grendon Ln., (Rt. 5852), a distance of: 0.04 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Grendon Drive, State Route Number: 5850

From: Calcutt Dr., (Rt. 5849)

To: Hedgeway Pl., (Rt. 5851), a distance of: 0.07 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Grendon Drive, State Route Number: 5850

From: Hedgeway Pl., (Rt. 5851)

To: 0.08 Mi. SE of Hedgeway Pl., (Rt. 5851), a distance of: 0.08 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Grendon Drive (Loop), State Route Number: 5850

From: 0.08 Mi. SE of Hedgeway Pl., (Rt. 5851)

To: 0.08 Mi. SE of Hedgeway Pl., (Rt. 5851), a distance of: 0.13 miles.

 $Right-of-way\ record\ was\ filed\ on\ 8/29/2003\ with\ the\ Office\ of\ Clerk\ to\ Circuit\ Court\ in\ Pb.\ 136,\ Pg.\ 64,$

with a width of Variable.

Grendon Lane, State Route Number: 5852

From: Grendon Dr., (Rt. 5850)

To: Ashwell Dr., (Rt. 5843), a distance of: 0.07 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Hedgeway Place, State Route Number: 5851

From: Grendon Dr., (Rt. 5850)

To: Cul de sac, a distance of: 0.06 miles.

Right-of-way record was filed on 8/29/2003 with the Office of Clerk to Circuit Court in Pb. 136, Pg. 64,

with a width of 40 Ft.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.7. APPROVAL OF SEWER CONTRACT FOR THE SWIFT CREEK TRUNK SEWER LINE - HALLSLEY SUBDIVISION PROJECT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved the following sewer contract for Swift Creek Trunk Sewer Line - Hallsley Subdivision, Contract Number 03-0281, which includes 15,138 L.F. \pm of 27-inch through 42-inch oversized wastewater lines:

Developer: Hallsboro Development Corporation

Contractor: G. L. Howard, Incorporated

Contract Amount:

Estimated County Cost for Oversizing

Code: Cash Refunds - Oversizing 5N-572WO-E4C

Refunds thru Connections - Oversizing 5N-572VO-E4C

District: Matoaca

(It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.8. ACCEPTANCE OF PARCELS OF LAND

9.C.8.a. <u>ALONG THE EAST RIGHT OF WAY LINE OF TURNER ROAD</u> FROM GLORIA ANN CLIBORNE

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.092 acres along the east right of way line of Turner Road (State Route 650) from Gloria Ann Cliborne, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.8.b. ALONG THE SOUTH RIGHT OF WAY LINE OF WEST HUNDRED ROAD FROM RONALD J. ROST

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.004 acres along the south right of way line of West Hundred Road (State Route 10) from Ronald J. Rost, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

ALONG THE SOUTH RIGHT OF WAY LINE OF WOOLRIDGE ROAD FROM KEITH D. AND MARJORIE WRIGHT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.113 acres along the south right of way line of Woolridge Road from Keith D. and Marjorie Wright, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Aves: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.8.d. ALONG THE NORTH RIGHT OF WAY LINE OF OTTERDALE ROAD FROM GEORGE K. AND CAROL L. MOREHEAD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of two parcels of land containing a total of 0.066 acres along the north right of way line of Otterdale Road from George K. and Carol L. Morehead, and authorized the County Administrator to execute the deed. (It is noted copies of the plats are filed with the papers of this Board.)

Barber, Humphrey, King and Miller. Ayes:

Nays: None. Absent: Warren.

ALONG THE SOUTH RIGHT OF WAY LINE OF WOOLRIDGE ROAD 9.C.8.e. FROM THE TRUSTEES OF WHISPERING HOPE COMMUNITY CHURCH

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.052 acres along the south right of way line of Woolridge Road from The Trustees of Whispering Hope Community Church, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Barber, Humphrey, King and Miller. None. Aves:

Nays: Absent: Warren.

9.C.8.f. ALONG THE NORTH RIGHT OF WAY LINE OF OTTERDALE ROAD FROM BLAIR E. AND CYNTHIA A. HOWARD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.0165 acres along the north right of way line of Otterdale Road from Blair E. and Cynthia A. Howard, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

DESIGNATION OF RIGHT OF WAY FOR ALLIED ROAD AT THE PUBLIC SAFETY TRAINING CENTER

On motion of Mr. King, seconded by Mrs. Humphrey, the Board designated right of way for Allied Road at the Public Safety Training Center and authorized the County Administrator to execute the Declaration. (It is noted copies of the plats are filed with the papers of this Board.)

Barber, Humphrey, King and Miller. Ayes:

Nays: None. Absent: Warren.

9.C.10. APPROVAL OF WATER CONTRACT FOR THE HALLSLEY SUBDIVISION - OFFSITE WATER LINE PROJECT ALONG OLD HUNDRED ROAD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved the following water contract for the Hallsley Subdivision - Offsite Water Line Project along Old Hundred Road, Contract Number 03-0172, which includes the extension of 11,550 L.F. + of 24-inch and 16-inch oversized water lines:

Hallsboro Development Corporation Developer:

Contractor: G. L. Howard, Incorporated

Contract Amount:

Estimated County Cost for Oversizing . . . \$446,630.00 Estimated County Cost for Offsite. . . . \$71,377.50

Estimated County Cost for Offsite. \$798,777.50

Solution of the cost of the c

Refunds thru Connections - Oversizing 5N-572VO-E4C Code: Refunds thru Connections - Offsite 5N-572VO-E4D

District: Midlothian and Matoaca

(It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Barber, Humphrey, King and Miller. None. Ayes:

Absent: Warren.

9.C.11. REQUESTS FOR PERMISSION

9.C.11.a. FROM LEE H. AND KAREN W. FULLER FOR A PROPOSED FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 71, HARTLEY VILLAGE AT CHARTER COLONY

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved a request from Lee H. Fuller and Karen W. Fuller for permission for a proposed fence to encroach within a 16-foot drainage easement across Lot 71, Hartley Village at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.11.b. FROM DOUGLAS C. AND JERRI PAT MACPHERSON TO INSTALL A PRIVATE WATER SERVICE WITHIN A PRIVATE EASEMENT TO SERVE PROPERTY ON BEULAH ROAD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved a request from Douglas C. MacPherson and Jerri Pat MacPherson for permission to install a private water service within a private easement to serve property at 4435 Beulah Road. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.11.c. FROM ERIC D. AND JUDITH M. UNDERWOOD TO INSTALL A PRIVATE WATER SERVICE WITHIN A FIFTY-FOOT COUNTY RIGHT OF WAY TO SERVE PROPERTY ON BEULAH ROAD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved a request from Eric D. Underwood and Judith M. Underwood for permission to install a private water service within a 50-foot county right of way to serve property at 4507 Beulah Road. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.12. CONVEYANCE OF AN EASEMENT TO VERIZON VIRGINIA INCORPORATED TO INSTALL UNDERGROUND CABLE ACROSS COUNTY PROPERTY TO SERVE THE CHESTER HOUSE PROJECT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Verizon Virginia Incorporated to install underground cable across county property to serve the Chester House Project. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.13. AWARD OF CONTRACT FOR THE BELLWOOD ELEVATED WATER STORAGE TANK REPAIRS AND REPAINTING PROJECT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board awarded a contract, in the amount of \$953,650, to Town Hall Painting Corporation for repairs and repainting of the Bellwood Elevated Water Storage Tank, County Project Number 04-0299; authorized the appropriation of \$188,000 from the water fund balance; and authorized the County Administrator to execute the necessary documents.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

9.C.14. APPROVAL OF FIRST AMENDMENT TO OPTION AGREEMENT WITH OLD HUNDRED MILL, INCORPORATED FOR PURCHASE OF REAL ESTATE FOR GENITO ROAD SCHOOL SITE

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved the First Amendment to the Option Agreement with Old Hundred Mill, Incorporated for purchase of real estate for the Genito Road School Site, and authorized the County Administrator to execute the Amendment. (It is noted a copy of the First Amendment to the Option Agreement is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

10. HEARINGS OF CITIZENS ON UNSCHEDULED MATTERS OR CLAIMS

There were no hearings of citizens on unscheduled matters or claims at this time.

11. REPORTS

11.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

11.B. REPORT ON STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

11.C. REPORT ON ROADS ACCEPTED INTO THE STATE SECONDARY SYSTEM

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board accepted the following reports: a Report on Developer Water and Sewer Contracts and a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases.

And, further, the following roads were accepted into the State Secondary System:

ADDITION LENGTH

Allerdice At The Highlands (Effective 11/19/2004)

Allerdice Terrace (Route 5762) - From Eastfair Drive (Route 5186) to Cul-de-sac	0.04 Mi.
Eastfair Drive (Route 5186) - From 0.05 mile south of Lyndenwood Drive (Route 5684) to Macandrew Drive (Route 5760)	0.30 Mi.
Eastfair Drive (Route 5186) - From Macandrew Drive (Route 5760) to Allerdice Terrace (Route 5762)	0.28 Mi.
Glamis Court (Route 5763) - From Macandrew Lane (Route 5685) to Cul-de-sac	0.14 Mi.
Macandrew Drive (Route 5760) - From Eastfair Drive (Route 5186) to Macandrew Terrace (Route 5761)	0.09 Mi.
Macandrew Lane (Route 5685) - From Macandrew Terrace (Route 5761) to Glamis Court (Route 5763)	0.10 Mi.
Macandrew Lane (Route 5685) - From Glamis Court (Route 5763) to Cul-de-sac	0.05 Mi.
Macandrew Lane (Route 5685) - From Macandrew Terrace (Route 5761) to end of maintenance	0.06 Mi.
Macandrew Lane (Route 5761) - From Macandrew Drive (Route 5760) to Cul-de-sac	0.17 Mi.
Macandrew Terrace (Route 5761) - From Macandrew Drive (Route 5760) to Macandrew Lane (Route 5685)	0.05 Mi.
Black Isle At The Highlands (Effective 11/19/2004)	
Black Isle Court (Route 5768) - From Black Isle Way (Route 5767) to Cul-de-sac	0.09 Mi.
Black Isle Way (Route 5767) - From Black Isle Court (Route 5768) to Cul-de-sac	0.05 Mi.
Black Isle Way (Route 5767) - From Eastfair Drive (Route 5186) to Black Isle Court (Route 5768)	0.13 Mi.
Braidstone Lane (Route 5765) - From Eastfair Drive (Route 5186) to Braidstone Terrace (Route 5766)	0.05 Mi.
Braidstone Lane (Route 5765) - From Braidstone Terrace (Route 5766) to Cul-de-sac	0.04 Mi.
Braidstone Terrace (Route 5766) - From Braidstone Lane (Route 5765) to Cul-de-sac	0.19 Mi.
Lyndenwood Court (Route 5764) - From Eastfair Drive (Route 5186) to Cul-de-sac	0.05 Mi.
Broadwater Townhomes, Phase 2 (Effective 11/19/2004)	

Broadwater Way (Route 5630) - From 0.03 mile north of Broadwater Lane (Route 5629) to Tinsberry Circle (Route 5627)

0.08 Mi.

Broadwater Way (Route 5630) - From Tinsberry Circle (Route 5627) to Broadwater Way (loop) (Route 5630)

0.04 Mi.

Broadwater Way (loop) (Route 5630) - From Broadwater Way (Route 5630) to Broadwater Way (Route 5630)

0.08 Mi.

Tinsberry Circle (Route 5627) - From 0.05 mile west of Broadwater Lane (Route 5629) to Broadwater Way (Route 5630)

0.05 Mi.

Walthall Creek, Section 16 (Effective 11/19/2004)

Clearcreek Place (Route 5776) - From Clearsprings Lane (Route 4064) to Cul-de-sac

0.16 Mi.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

12. DINNER

On motion of Mr. Barber, seconded by Mr. Miller, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

Reconvening:

13. INVOCATION

Reverend Johnnye Massenburg, Assistant Pastor, First Baptist Church Midlothian gave the invocation.

14. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Colonel Fran Pitaro, United States Army, retired led the Pledge of Allegiance to the flag of the United States of America.

Mr. King recognized members of Boy Scout Troop 877, sponsored by Chester Presbyterian Church, who were present at the meeting and thanked them for their attendance.

15. RESOLUTIONS AND SPECIAL RECOGNITIONS

O RECOGNIZING THE HONORABLE KELLY E. MILLER AS 2004 CHAIRMAN OF THE BOARD OF SUPERVISORS

Mr. Barber stated he had the opportunity to express appreciation for Mr. Miller's leadership as 2004 Chairman during the afternoon session and invited Mrs. Humphrey and Mr. King to comment on Mr. Miller's chairmanship.

Mrs. Humphrey stated it has been her pleasure to serve under Mr. Miller's chairmanship, indicating that she greatly respects his wisdom and advice. She then presented Mr. Miller with a gift in appreciation of his service as Chairman.

Mr. Barber presented Mr. Miller with a plaque signifying his term as Chairman.

Mr. King stated the greatest honor he has ever had is to represent the citizens of the Bermuda District. He further stated his service has been enhanced by working with and getting to know his mentor and friend, Mr. Miller who represents honesty and integrity. He expressed appreciation to Mr. Miller for his service to the Dale District constituents as well as the county and thanked him for his service to mankind and to God. He then presented the executed resolution to Mr. Miller.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Honorable Kelly E. Miller, representing the Dale District, served as Chairman of the Board of Supervisors from January 2004 to December 2004, and during this period, demonstrated outstanding leadership through many challenges and opportunities confronting the county, including Tropical Storm Gaston; coordination with schools and meetings with civic groups concerning the Bond Referendum that was approved in November totaling more than \$341 million, which will enable the county to continue providing its residents with an outstanding quality of life; the county's 2^{nd} successful Award for Continuing Excellence (ACE) application; the long-awaited completion of Route 288; the purchase of Cloverleaf Mall and planning for its revitalization as a mixed-use development project; start up of a new transportation program, "Access Chesterfield, " for the county's neediest residents; and

WHEREAS, Mr. Miller demonstrated strong support for public safety and all the county's other divisions throughout his tenure as chairman; and skillfully led the county through many diverse and sensitive issues; was responsive to the needs of citizens; was guided at all times by exemplary ethics and values as he worked on behalf of all Chesterfield County residents; and

WHEREAS, Mr. Miller has exemplified all that is desirable and highly respected in our senior leaders in the public service arena; and

WHEREAS, under Mr. Miller's Chairmanship, the county achieved successes including maintaining its AAA rating from each of the three major bond-rating agencies; adopting the county's first true biennial budget for FY2005 and FY2006; receiving 12 NACo Achievement Awards and Public Affairs

receiving 24 communication awards from NACIO; the Utilities Department receiving the Platinum Award for Competitiveness Achievement from the Association of Metropolitan Water Agencies, which is the equivalent to the ACE Award in the water industry, and was one of only 15 awards nationwide and the only water utility in the state to receive this recognition; implementing an Environment Management System at Proctors Creek Wastewater Treatment Plant resulting in recognition from the Department of Environment Quality; adopting a national crime background checks program for volunteer youth sports league coaches; initiating a Recreation Volunteer Awards Program to recognize outstanding citizen efforts; dedicating the Mid-Lothian Mines Park; acquiring the Stratton property for a natural resource-based park adjoining Falling Creek; and

WHEREAS, other successes under Mr. Miller's Chairmanship include economic development projects such as the location of Altria Corporate Services Group in Moorefield Office Park adding 100 jobs, International Paper's 330,000 square foot redistribution operation on Route 10, and Honeywell's \$20 million expansion; Falling Creek and Proctors Creek Wastewater Treatment Plants achieving 100% compliance with discharge permit requirements for fiscal year 2004; establishing a Boys and Girls Club at Falling Creek Middle School; the Block Grant Office completing 23 housing projects in the Dale District; adopting The Public Facilities Plan, which addresses existing and future needs for such facilities as schools, fire stations, parks, and libraries; completing the Chesterfield County Growth Analysis Report; adopting numerous zoning and subdivision ordinance amendments and policy changes to include cellular communications lighting in residential districts, and subdivisions; hosting "Chesterfield Matters," a monthly public information program for Chesterfield County residents; and various transportation improvements including widening of Robious Road, and constructing the Meadowville Technology Park Access road, Old Bon Air Road, and Salem Church Road.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this $12^{\rm th}$ day of January 2005, publicly recognizes and applauds the untiring efforts displayed by its 2004 Chairman, the Honorable Kelly E. Miller.

AND, BE IT FURTHER RESOLVED, that the Board of Supervisors does hereby present Mr. Miller with a plaque recognizing his distinguished service from January 2004 to December 2004.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

Mr. Miller expressed appreciation to Board members for their support and stated the successes achieved during 2004 were a result of their teamwork. He again congratulated Mr. Barber for being elected the 2005 Chairman, and stated he believes the county will achieve even greater successes under Mr. Barber's chairmanship. He stressed the importance of faith and stated he believes there is very little man can do on his own unless God has a part in it.

Mr. Miller received a standing ovation.

Mr. Barber introduced Ms. Pamela Hathaway, Chair of Chesterfield Business Council.

Ms. Hathaway commended both Mr. Miller and Board members for their outstanding leadership during 2004. She stated many decisions made during the year demonstrated clearly that the Board recognizes the important role of businesses and economic development in preserving the county's excellent quality of life. She stated the Business Council supports the Board's efforts in these areas and looks forwarding to working with them in the future.

16. HEARINGS OF CITIZENS ON UNSCHEDULED MATTERS OR CLAIMS

There were no hearings of citizens on unscheduled matters or claims at this time.

17. PUBLIC HEARINGS

O TO CONSIDER THE RECEIPT AND APPROPRIATION OF GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) THROUGH THE HAZARD MITIGATION GRANT PROGRAM (HMGP)

Mr. Witt stated this date and time has been advertised for a public hearing for the Board to consider the receipt and appropriation of grant funds from the Federal Emergency Management Agency (FEMA) through the Hazard Mitigation Grant Program and the appropriation of in-kind local match funds. He further stated, on January 14, 2004, the Board authorized the County Administrator to apply for the FEMA grant funding with the stipulation that no county funds would be used for any part of the local match. He noted 75 percent of the funding is being provided by FEMA; 20 percent from the state and five percent from the participating homeowners; therefore, no county funds will be used.

Mr. Barber called for public comment.

Ms. Patricia Radigan, owner of the home at 7401 Beach Road, thanked the Board for applying for the grant on behalf of the Beach Road homeowners. She stated Mr. Bill Dupler has been wonderful to work with and expressed appreciation for his diligence in pursuing the grant funding. She requested that the Board reconsider use of county funds as the local match. She provided details of assistance provided to county residents following Hurricane Isabel. She stated, if the Board approves this action, county residents would be the recipients of approximately eight acres on Beach Road, which could be used for a park or another public purpose. She further stated she and her neighbors would appreciate it if the county would provide \$39,000, or a portion thereof, for the required local match funding.

Ms. Jeannine Yeamans, a resident of 7301 Beach Road, stated she appreciates the county's efforts in pursuing the grant funding and thanked Mr. Dupler for his efforts. She further stated she had no idea of the serious consequences of moving into a flood zone and expressed concerns that flood insurance does not fully cover all of her losses. She asked the Board to reconsider using county funds for the local match.

There being no one else to speak to the issue, the public hearing was closed.

In response to Mrs. Humphrey's question, Mr. Witt stated the county will ultimately receive ownership of the Beach Road property.

Mr. Ramsey stated the county made it clear with the homeowners from the beginning of the process that the five percent local match would be the responsibility of the homeowners.

In response to Mrs. Humphrey's question, Mr. Ramsey stated the county has not yet made a decision regarding how the property will be used. He noted there will be a cost to the county to own and maintain the property. He stated using the property will be very difficult because there is one parcel in the middle that is being retained by the owner.

Mrs. Humphrey stated she has watched Swift Creek flood these homes since she was a child and each year it has become worse and worse. She further stated she is glad the county was able to assist the citizens by applying for and receiving the grant funding. She stated she would like to see the land dedicated for either preservation or for a roadside park site, and expressed dismay that one property owner chose to retain their property.

In response to Mr. Barber's question, Mr. Witt stated the county will negotiate a purchase price with the property owners and deduct five percent from that price.

Mr. Miller stated it is his understanding that the residents were told from the outset that if they chose to be a part of the process, they would be required to provide the local match from their homeowner's equity.

Mr. Witt stated that is also his understanding. He noted the 20 percent being provided by the state was not assured, indicating that the amount could have varied.

Mr. Ramsey stated the county knew FEMA would provide 75 percent of the funding if the grant was approved, but the county did not know how much, if any, the state would provide.

Mr. Miller stated he sympathizes with citizens who suffer as a result of any event and certainly as a result of an act of God. He further stated property owners take a certain amount of risk when purchasing property, and there is no way to control acts of God that brought about the damage these citizens have suffered. He stated the property owners knew their property was located in a flood plain and purchased flood insurance; therefore, it is only fair that they pay the relatively small portion of the local match. He further stated he is not in a position to vary from the understanding from the very beginning that the county would not provide any funding.

Mr. Miller then made a motion for the Board to approve the receipt and appropriation of federal and state grant funds from the Federal Emergency Management Agency through the

Hazard Mitigation Grant Program, with the local match funding being provided by the property owners.

Mr. King seconded the motion. He stated he, too, is extremely sympathetic to the residents' situations. He expressed concerns relative to setting a precedent when it comes to providing assistance to residents who suffer because of acts of God. He stated he believes the county has done everything the Board said they would do for the residents, indicating that he is not prepared to provide county funding to make up the difference.

Mrs. Humphrey stated this situation is different from other natural disasters because the county will ultimately own the property. She further stated acquiring this real estate is a reason she might have considered providing county funding, but there does not appear to be any support for the Board to do anything more than what it committed to do thus far.

Mr. Barber called for a vote on the motion of Mr. Miller, seconded by Mr. King, for the Board to approve the receipt and appropriation of \$762,077 in federal and state grant funds from the Federal Emergency Management Agency through the Hazard Mitigation Grant Program.

And, further, the Board approved the appropriation of in-kind local match funds in the amount of \$39,231, which will be provided by homeowner's equity from the properties encompassed by the grant.

Ayes: Barber, Humphrey, King and Miller.

Nays: None. Absent: Warren.

18. ADJOURNMENT

On motion of Mr. Miller, seconded by Mr. Barber, the Board adjourned at 7:53 p.m. until January 26, 2005 at 3:30 p.m.

Ayes: Barber, King, Humphrey and Miller.

Nays: None. Absent: Warren.

Lane B. Ramsey
County Administrator

Edward B. Barber Chairman